

MAR 08 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
92-10678	Yes ☐	Yes ☐		Yes ☐	Yes ☐
92-11029	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Clarence L Kirkey and Vicki D Kirkey
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kevin Burnett and Debra Burnett
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 5887 Alder Creek Road Saint Maries ID 83861
Mailing address City State ZIP
- 208-274-0470 djburnett727@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: July 13, 2017
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Kevin L Burnett Title, if applicable March 4, 2021
 Signature of new owner/claimant Date

Signature: Debra Burnett Title, if applicable March 4, 2021
 Signature of new owner/claimant Date

For IDWR Office Use Only:

Received by Ja Date 3-8-21 Receipt No. N036786 Receipt Amt. 50⁰⁰

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by Ja Date 3-9-21

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

RECEIVED
2017 Jul 13 PM 04 05
BENEWAH COUNTY
DEANNA BRAMBLETT, CLERK
277759
FIRST AMERICAN TITLE - SAIN
FEES: \$ 15.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **633026-SM (ps)**

Date: **July 10, 2017**

For Value Received, **Clarence L. Kirkey and Vicki D. Kirkey, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kevin Burnett and Debra Burnett, husband and wife**, hereinafter called the Grantee, whose current address is **5887 Alder Creek Road, St. Maries, ID 83861**, the following described premises, situated in **Benewah County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

AKB
KR

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

**ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.**

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **633026-SM (ps)**

Date: **July 10, 2017**

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SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

[Handwritten signatures]

Date: 07/10/2017

Warranty Deed
- continued

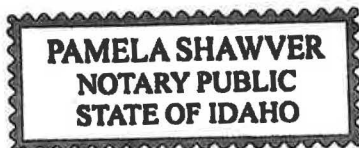
File No.: 633026-SM (ps)


Clarence L. Kirkey


Vicki D. Kirkey

STATE OF Idaho)
COUNTY OF Benewah)
SS.

On this 12th day of July, 2017, before me, a Notary Public in and for said State, personally appeared **Clarence L. Kirkey and Vicki D. Kirkey**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: St. Maries, ID
My Commission Expires: 1-20-2022

EXHIBIT A

The East Half of the East Half of the Southwest Quarter (E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$) Section 26 lying South of the County Road;

and,

the East Half of the East Half of the Northwest Quarter (E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$) Section 35, lying North of the South Bank of Alder Creek, Township 45 North, Range 3 West, Benewah County, Idaho.

(BDL 18 for Identification purposes only.)

Together With:

A parcel of land situate in the East Half of the East Half of the Northwest Quarter of Section 35, Township 45 North, Range 3 West, Boise Meridian, Benewah County, Idaho, more particularly described as follows:

COMMENCING AT the North Quarter Corner of said Section 35, said point marked by a 2" aluminum cap described on the Corner Perpetuation and Filing form filed at Instrument Number 246920, records of Benewah County, Idaho;

thence along the North line of said Section 35 North 89° 14' 40" West 664.49 feet to the Northwest corner of the East Half of the East Half of the Northwest Quarter of Section 35;

thence along the West line of said East Half of the East Half of the Northwest Quarter South 00° 31' 19" West 789.84 feet to the TRUE POINT OF BEGINNING;

thence South 02° 56' 49" East 1324.10 feet to the South bank of Alder Creek;

thence along the South bank of Alder Creek North 71° 33' 34" West 84.20 feet to the West line of the East Half of the East Half of the Northwest Quarter;

thence along said West line North 00° 31' 19" East 1295.77 feet to the point of beginning.

EXCEPTING THEREFROM, A parcel of land situate in the West Half of the East Half of the Northwest Quarter of Section 35, and in the West Half of the East Half of the Southwest Quarter of Section 26, Township 45 North, Range 3 West, Boise Meridian, Benewah County, Idaho, more particularly described as follows:

COMMENCING AT the North Quarter Corner of said Section 35, said point marked by a 2" aluminum cap described on the Corner Perpetuation and Filing form filed at Instrument Number 246920, records of Benewah County, Idaho;

thence along the North line of said Section 35 North 89° 14' 40" West 664.49 feet to the Northwest corner of the East Half of the East Half of the Northwest Quarter of Section 35, the TRUE POINT OF BEGINNING;

thence along the West line of said East Half of the East Half of the Northwest Quarter of Section 35 South 00° 31' 19" West 789.84 feet;

thence North 00° 05' 19" West 2760.40 feet to the South line of Alder Creek road;

thence along said South line of Alder Creek road North 78° 59' 46" East 41.61 feet to the East line of the West Half of the East Half of the Southwest Quarter of Section 26;

thence along the East line of the West Half of the East Half of the Southwest Quarter of Section 26 South 00° 51' 03" West 1978.75 feet to the True Point of Beginning.

State of Idaho
Department of Water Resources

Water Right
92-10678

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

03W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Water Right
92-10678

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

03W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Water Right
92-11029

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

03W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 09, 2021

KEVIN BURNETT
5887 ALDER CREEK RD
ST MARIES ID 83861-9769

DEBRA BURNETT
5887 ALDER CREEK RD
ST MARIES ID 83861-9769

Re: Change in Ownership for Water Right No(s): 92-10678

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2800.

Sincerely,

Tammy Alleman
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 09, 2021

KEVIN BURNETT
DEBRA BURNETT
5887 ALDER CREEK RD
ST MARIES ID 83861-9769

Re: Change in Ownership for Water Right No(s): 92-11029

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

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If you have any questions concerning the enclosed information, please contact me at (208) 762-2800.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Alleman".

Tammy Alleman
Administrative Assistant 1

Enclosure(s)